

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AARON SIEGEL;)
)
JASON COOK;)
)
JOSEPH DELUCA;)
)
NICOLE CUOZZO;)
)
TIMOTHY VARGA;) Civil Action No. 1:22-cv-07463-
) KMW-AMD
)
CHRISTOPHER STAMOS;)
)
KIM HENRY; and)
)
ASSOCIATION OF NEW JERSEY)
RIFLE & PISTOL CLUBS, INC.,)
)
Plaintiffs,)
)
v.)
)
MATTHEW PLATKIN, in his official)
capacity as Attorney General of New)
Jersey,)
)
PATRICK J. CALLAHAN, in his)
official capacity as Superintendent of the)
New Jersey Division of State Police,)
)
Defendants.

**DECLARATION OF JOSEPH DELUCA IN SUPPORT OF
PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

1. I, Joseph DeLuca, am a plaintiff in the above-titled action. I am over the age of 18, have personal knowledge of the facts and events referred to in this Declaration, and am competent to testify to the matters stated below.

2. I am a law-abiding resident and citizen of the United States and the State of New Jersey. I reside at 8 Gloucester Court, Marlton, New Jersey 08053. I am a member of Association of New Jersey Rifle & Pistol Clubs, Inc.

3. I am an automotive repair mechanic in Marlton, New Jersey.

4. I am a firearm owner and Handgun Carry Permit holder because I believe that possession and carry of firearms is an important aspect of protecting myself and my wife from the risk of violent crime.

5. I obtained my Handgun Carry Permit because I recognize that violent crime can take place anywhere, including when I am outside the home.

6. In particular, I recall an incident at my wife's former place of employment where one of her co-workers was shot and killed.

7. I regularly enjoy walking my dog in State parks such as Wharton State Forest and Black Run Preserve, and regularly enjoy public beaches in New Jersey.

8. From time to time, I enjoy the Cape May Zoo.

9. I regularly go to movie theatres, and from time to time attend racing events at Atco Dragway racetrack in Waterford Township, New Jersey.

10. Once per month, I enjoy trips to the casinos in Atlantic City, New Jersey. When I do so, I enjoy gambling on the casino floors, dining in the casino restaurants, attending shows in the casino theatres, and staying in the casino hotels.

11. Once per week, I visit a friend who lives on a boat in Farley State Marina. In order to access the Marina I must traverse the property of the Golden Nugget Casino.

12. I enjoy dining out at restaurants. Some of these restaurants have a license to serve alcohol.

13. I regularly drive a car but also regularly ride a motorcycle and a bicycle. I also own a boat, and on occasion take a PATCO train from Ashland Station in Voorhees, New Jersey to Philadelphia, Pennsylvania. I am licensed to carry a handgun in Pennsylvania.

14. From time to time, I take professional education classes for work.

15. From time to time, I attend or pass within 100 feet of public gatherings and events, but I generally do not know which ones require a government permit.

16. I am a private homeowner. I would allow the carry of handguns on my property, but I do not want to have to post a sign on my property explicitly saying so.

17. I would carry my handgun in all of the foregoing places and would carry my handgun loaded and on my person in my car and on my motorcycle and bicycle and on the train, but I refrain from doing so for fear of arrest and prosecution.

18. I refrain because of the prohibition on carry within 100 feet of public gatherings set forth in A4769 section 7(a)(6).

19. I refrain because of the prohibition on carry at zoos set forth in A4769 section 7(a)(9).

20. I refrain because of the prohibition on carry at parks, beaches, and recreation facilities or areas set forth in A4769 section 7(a)(10).

21. I refrain because of the prohibition on carry at restaurants and other locations where alcohol is served set forth in A4769 section 7(a)(15), even though I would not consume alcohol at these locations while carrying my handgun.

22. I refrain because of the prohibition on carry at entertainment facilities set forth in A4769 section 7(a)(17).

23. I refrain because of the prohibition on carry in casinos and related facilities set forth in A4769 section 7(a)(18) and N.J.A.C. 13:69D-1.13.

24. I refrain because of the prohibition on carry at public transportation hubs set forth in A4769 section 7(a)(20).

25. I refrain because of the prohibition on carry at public film and television locations set forth in A4769 section 7(a)(23).

26. I refrain from carrying at professional education classes because of the prohibition on carry at a “school, college, university or other educational institution” set forth in A4769 section 7(a)(7).and N.J.S. 2C: 39-5(e) because I am unsure if those qualify as a “school, college, university or other educational institution” within the meaning of those sections because those terms are vague and those statutes do not define those terms.

27. I refrain from carrying my handgun loaded and on my person in my car, on my boat, or on a train because of the prohibition on doing so in a vehicle set forth in A4769 section 7(b)(1). I am further unsure of whether I may carry my handgun loaded and on my person on my boat or on a train, because the term “vehicle” set forth in A4769 section 7(b)(1) is vague and undefined, and I am unsure whether I may lawfully do so on my boat or on a train.

28. I also refrain from carrying my handgun on my motorcycle and bicycle at all because the term “vehicle” set forth in A4769 section 7(b)(1) is vague and undefined, and I am unsure whether I may lawfully do so on my motorcycle or my bicycle. Section 7(b)(1) requires that a handgun be unloaded and contained in a closed and securely fastened case, gunbox, or locked unloaded in the trunk of a vehicle, and none of those measures are possible on my motorcycle or my bicycle.

29. I also refrain because of the prohibition on carry on private property set forth in A4769 section 7(a)(24). Some of the foregoing places are private property, and none of the owners of the private property on which he would otherwise carry has provided express consent or has posted the required sign granting permission.

30. As a result of the foregoing prohibitions, I can carry my handgun virtually nowhere outside my home.

I declare under penalty of perjury that the foregoing is true and correct.
Executed within the United States.



Joseph DeLuca

12/22/2022
Date